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Human Rights Council of Australia

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John Arrowsmith,
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Dear John,

I was very pleased to hear from you this morning and I am sending at once an updated version of the proposal that I put to former President Eanes of Portugal, who has long maintained an interest in the Timor problem. Under that country's constitution the Government of Portugal has an obligation to support the right of the Timorese to determine their own future, and it would be useful to have their support for the initiative I have in mind. However, the result of the recent elections in Portugal, in which Eanes stood, and did badly, suggests that we may need to look elsewhere for a useful response to such a proposal, for his influence appears to have diminished sharply.

THE PROPOSAL.

It will soon be 12 years since East Timor was forcably integrated into Indonesia and, in spite of the work of the support groups and some continuing concern among politicians in Australia and elsewhere, it is evident that international interest in this affair is continuing to decline. Based on a sense of hopelessness, and with a weakening flow of information, few people now see any prospect of the situation being reversed in order to take into account the freely expressed wishes of the Timorese people. Moreover, there is the possibility of the issue being removed from the agenda of the U.N. agencies, thus according a measure of legitimacy to Indonesia's annexation of the territory.

However, in view of the gravity of the violations of human rights inflicted on the people of the former Portuguese colony, and the long years of suffering that have been endured by the Timorese, the issue remains a very compelling one, both in terms of basic principles in international law that require universal observance and the severity of the physical assault the invasion entailed.

Had this gross violation of human rights occurred in the Middle East or Latin America, it would have provoked a reaction of lingering, international rage, which would have smouldered on and on, not subsiding with the passage of time. However, the Timorese cause has beem especially disadvantaged by the remoteness of the

territory, its strategic irrelevance and, not least, because of its total unimportance to the economies of the major powers in the Asia-Pacific region. The appeal of the Timorese question is not only about the territory's proximity to Australia, and the special obligation that entails; it is about our responsibility to heed the cries for help of a small, remote nation, which have had little impact in the cynical power-play of contemporary international politics. Therefore to accept the status quo is to accept the subjective proposition that the measure of strategic and economic importance determines the merits of a violation of human rights, and the extent to which we should persevere with attempts to rectivy it. Moreover, there is persistent evidence that the Timorese themselves, from the Fretilin guerrillas to senior Timorese officials in the provincial government, do not accept the status quo as an acceptable end to the matter.

While the Timorese continue to have many supporters in this country and elsewhere in the world, the absence of any real progress has made many of us feel very track weary. We need some new initiative with wide international appeal, something more that a passive monitoring of the situation on the ground or occasional public expressions of support.

My proposal is therefore aimed at invigorating support for the rights of the Timorese through organized international action, focussing on international humanitarian instruments now in force. It is aimed at creating a focal point for all concerned about justice for the Timorese, and a way of bringing some pressure to bear on those governments in a position to exert influence on the situation. If anything at all is to be achieved at this late hour, it is necessary to attempt to arouse the kind of moral indignation, determination and tenacity which motivates western governments, politicians, academics, the media, and so on, to continue to press for a just solution to other international questions, involving violations of human rights, regardless of the lapse of time (the Baltic states, Palestine, and, more recently, Afghanistan and Kampuchea).

As we can no longer have any faith in the relevant inter-government agencies in relation to this matter, I suggest we promote the idea of setting up an international commission of enquiry into the whole Timor question, a commission outside the U.N. system, but one that by its very nature will attract international credibility and respect, and therefore be in a position to exert some influence on the world body and its member states. We may be able to atttract the financial and moral support of some governments (e.g. Portugal, Norway, Denmark, and the Netherlands), as well as foundations, though I doubt that the Australian Government would have any enthusiasm for the idea. Since the Timor question continues to be raised by parliamentarians, it would be important to canvas the support of European, North and South American parliaments.

The Commission could have the following aims:

1. To investigate the circumstances in which East Timor was incorporated into Indonesia, and especially whether any acceptable act of determination took place, as the Indonesians have persistently alleged.

2. To examine the course of events in East Timor since 1975, with an emphasis on the extent to which human rights have been violated, and on the responsibility for such violations.

3. To study the present situation in the territory, in terms of the position of the Timorese, from economic, cultural and political points of view, and including, if possible, an assessment of what, at this time, are the wishes of the people themselves.

4. To propose, on the basis of the foregoing, possible solutions to the problem, having regard to a careful assessment of the wishes of the Timorese people.

5. To examine and report on the international dimensions of the Timor problem. The Commission should seek to make contact with all parties to this affair. It should seek to make a visit to East Timor, on the basis of free and unrestricted access to the territory and to the Timorese themselves, including to those who are continuing to resist Indonesia's incorporation of the territory.

The Commissioners should be at least two persons distinguished by their impartiality, and their respect for international law and human rights. It may be desirable to bring together a Latin American, a European, and African and an Asian for this project, in order to ensure that the Commission is not devalued as a post-colonial exercise.

The Commission should have a small secretariat, with a number of research specialists, with skills relevant to the areas covered by the Commission.

The Commission should be in existence for between 6 months and one year (perhaps longer), in order to ensure that it is able to make a comprehensive and credible report on this tragic situation. The more thorough the report, the more credible it will be, and the greater the liklihood that it will have a productive international impact from the point of view of the interests of the Timorese people. The Commission would also serve to counter the attitudes of complacency and resignation that grow stronger as the illegal seizure of this beautiful territory and the rape of its charming people fade into history.

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Concerning the other matter I raised with you, possible sources of financial assistance for my role as Chairman of the Interim Committee for the Third World Congress on Human Rights, I am attaching a brief on the Congress project. The initial meeting is to take place in New Delhi in October. Asian human rights specialists, including in Indonesia, are enthusiastic about the Congress, which is being supported by the U.N. Human Rights Commission, the U.N. High Commission for Refugees and the International Labor Organization. Among other things, we are hoping that it will lead to the proclaiming of an Asian Charter on Human Rights, designed formally to outlaw the kind of violations that concern us.

Although there have been expressions of strong interest in the Congress I have been unable to raise funds for my return fare to New Delhi and, as I am now on a retirement pension, I am hoping not to have to bear the cost out of my own pocket. On the other hand I can hardly ask my Asian hosts to fund my participation.

I look forward to hearing from you.

Yours sincerely,

Jim Dunn.